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6 Counsel for Defendant HOWARD
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,) No. CR-05-0340 PJH
12 Plaintiff,) STIPULATION AND [PROPOSED]
13 v.) ORDER TO CONTINUE SENTENCING
14 LAVELL HOWARD,) HEARING
15 Defendant.)
16

17 Having pled guilty to being a felon in possession of a firearm, in violation of 18 U.S.C. §
18 922(g)(1), defendant Lavell Howard is to appear before this Court for a continuation of his
19 sentencing hearing on January 11, 2006. When Mr. Howard last appeared, defense counsel
20 informed the Court that Mr. Howard wished to provide information to the government pertinent
21 to his case that could affect the government's sentencing recommendation and, in turn, his
22 sentence.

23 Efforts to accomplish this objective were hindered by the holidays. The government's
24 representative was unavailable at the end of December, and undersigned counsel was unavailable
25 the first week of January. The parties have made tentative arrangements to meet this Wednesday,
26 January 11.

1 Mr. Howard remains in custody. The Speedy Trial Act does not apply because Mr.
2 Howard has entered a plea of guilty. The parties jointly request an additional two weeks to
3 prepare meaningfully for the final sentencing hearing.

4 Accordingly, the parties agree and stipulate that the sentencing hearing presently
5 scheduled for January 11, 2006 shall be continued to January 25, 2006 at 1:30 PM. The
6 probation officer has been informed of the requested extension and has raised no objection.

7 IT IS SO STIPULATED.

8 Dated: 1/9/06


BARRY J. PORTMAN
Federal Public Defender
JOSH COHEN
Assistant Federal Public Defender

11 Dated:

12 KEVIN V. RYAN
United States Attorney
13 SUSAN JERICHE
14 Assistant United States Attorney

15 ORDER

16 For the reasons stated and for good cause shown, it is hereby ORDERED that the
17 sentencing hearing presently scheduled for January 11, 2006 shall be continued to January 25,
18 2006 at 1:30 PM.

19 IT IS SO ORDERED.

20 Dated: 1/10/06


PHYLLIS J. HAMILTON
UNITED STATES DISTRICT JUDGE

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